

REMARKS

Responsive to the Office Action mailed December 15, 2006, Applicants hereby file the following amendment and remarks.

Claims 12 and 13 are objected to for minor informalities. Applicants have amended the claims herewith to correct same.

Claims 13 and 14 are rejected under 35 USC § 112, second paragraph, as being indefinite. Applicants have amended claim 13 to more particularly characterize the metes and bounds of the instant invention and believe the rejection is now moot.

Claims 1, 2, 8 and 10-16 are rejected under 35 USC § 102 (b) as being anticipated by US Patent No. 5,721, 120 to Seifert. The rejection is respectfully traversed. Claims 1; 13 and 15 have been amended to clarify that the invention contemplates the use of a single inline nozzle, as opposed to Seifert, which recites at Col. 3, lines 28-38:

Referring now to FIG. 1, fluid shear is preferably generated by impinging two opposing jet streams 111 and 101 at a controlled linear velocity in a small chamber 120. The device is preferably operated in a continuous mode with the input stream split into a two jet streams 100, 110 and an outlet stream 130 draining the chamber. It is desirable that nozzles 111 and 101 be placed in close proximity to each other, i.e. less than one inch apart, and more preferably approximately 1/8th to 3/8ths of an inch apart in order to maximize the fluid shear.

Claims 1-12 are rejected under 35 USC 103(a) under the '120 patent to Seifert. Again, because the instant claims now clarify the single inline nozzle concept, Applicants believe this rejection is overcome.

Please charge deposit account 13-2755 for fees due in connection with this amendment. As a one month extension of time is required for the timely filing of the present amendment, applicants hereby petition for same and authorize the charging of deposit account 13-2755 for the appropriate fees.

Respectfully submitted,

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CONDITIONAL PETITION

Applicants hereby make a Conditional Petition for any relief available to correct any defect in connection with this filing, or any defect remaining in this application after this filing. The Commissioner is authorized to charge deposit account 13-2755 for the petition fee and any other fee(s) required to effect this Conditional Petition.

Respectfully submitted,

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